

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

CIVIL ACTION NUMBER 4:03-CV-1160-FL(3)

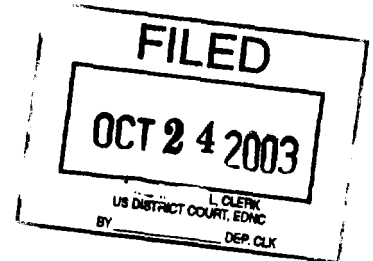
JOE MILLER THORNTON AND  
ANNABELLE THORNTON;

Plaintiffs,

vs.

AQUA-CHEM (d/b/a Cleaver Brooks);  
BAYER CROPSCIENCE INC., (f/k/a Aventis CropScience USA Inc.,  
f/k/a Rhone-Poulenc Ag Company Inc., a/k/a AmchemProducts, Inc.);  
BONDEX INTERNATIONAL, INC.;  
CROWN CORK AND SEAL COMPANY, INC. (successor to  
Mundet Cork Corporation);  
DANA CORPORATION;  
DANIEL INTERNATIONAL CORPORATION;  
D.B. RILEY, INC. (Individually and as successor to  
Riley Stoker Corporation);  
GENERAL REFRACTORIES COMPANY;  
GUARD-LINE, INC.;  
H. B. FULLER COMPANY (Individually and as Successor-in-  
interest to Benjamin Foster Division (formerly Benjamin Foster  
Company) of Amchem Products Inc. (Parker Amchem, Inc.) and  
renamed the Foster Products Division;  
INDUSTRIAL HOLDINGS CORPORATION;  
JOHN CRANE, INC.;  
KELLY-MOORE PAINT COMPANY, INC.;  
3M COMPANY (f/k/a Minnesota Mining and Manufacturing Co.);  
REPUBLIC POWDERED METALS, INC.;  
UNION CARBIDE CORPORATION;

Defendants.



ASBESTOS  
COMPLAINT

CIVIL ACTION COMPLAINT

Plaintiff hereby adopts and incorporates Plaintiff's Master Long-Form Complaint in RE:  
Asbestos Litigation in the United States District Court for the Eastern District of Pennsylvania filed as of  
Miscellaneous No. 86-0457. Pursuant to the August 20, 1996 Order of the Honorable Charles R. Weiner,  
the following short-form Complaint is utilized in this asbestos action:

1. The Plaintiffs are:

a. Plaintiff ("plaintiff")

Name: Joe Miller Thornton  
Address: 90 Spring Street  
Charleston, South Carolina 29403  
Social Security No.: 412-10-7221  
D.O.B.: 06/30/1923

b. Spouse

Name: Annabelle Thornton  
Address: Same

Social Security No.:  
D.O.B.:

2. The Court has jurisdiction of this matter by way of diversity of citizenship inasmuch as plaintiff and defendants are not residents or have principle place of business in the same state. These defendants however all do or have done business in the State of North Carolina. Moreover, the amount in controversy, exclusive of interest and costs, exceeds \$75,000.00.

3. The defendants are those companies listed in the caption.

4. Plaintiff hereby incorporates by reference the following Counts from the Master Long-Form Complaint: Counts I, II, III, IV and X.

5. Plaintiff's asbestos exposure history including, to the extent possible at this time, the asbestos products to which plaintiff was exposed is attached hereto as Schedule I.

6. Plaintiff was diagnosed with an asbestos-related disease within the applicable statutes of limitation as a result of his exposure to asbestos.

7. A claim for lost wages of plaintiff is: to be determined, if any.

8. Plaintiff certifies that he has not been a party to any related third-party asbestos litigation.

This the 24<sup>th</sup> day of October, 2003.

JONES MARTIN PARRIS & TESSENER  
LAW OFFICES, P.L.L.C.



E. Spencer Parris  
N.C. State Bar No.: 011042  
H. Forest Horne, Jr.  
N.C. State Bar No.: 016678  
J. Michael Riley  
N.C. State Bar No.: 018396  
410 Glenwood Ave., Suite 200  
Raleigh, North Carolina 27603

CO-COUNSEL

David Butler, Esquire  
Richardson, Patrick, Westbrook & Brickman, LLC  
PO Box 1368  
1750 Jackson Street, 2<sup>nd</sup> Floor  
Barnwell, South Carolina 29812  
803-259-9900

JURY DEMAND

Plaintiff demands that all issues of fact in this case be tried before a properly impanelled jury.

## SCHEDULE I

### Worker History Asbestos Exposure Information

#### EXPOSURE SITE

#### APPROXIMATE DATES

Various Job Sites Including Charleston Naval Shipyard

1940's -1970's

RELATED ASBESTOS LITIGATION - none

SMOKING HISTORY: Approximately ½ ppd from 1948 - 1969

#### PRODUCTS CONTAINING ASBESTOS:

Aqua-Chem - boilers

Bayer CropScience (Amchem) - Lagtone insulation coating, foamseal sealant,  
CI and HI mastic

Bondex – Joint Cements and Compounds

Crown Cork & Seal - Mundet cement

Dana – S&K Aircell

D.B. Riley, Inc. – boilers

General Refractories Company – Grefco Insulating Cement

Guard-line, Inc. – Gloves

H.B. Fuller – Benjamin Foster Mastics

Industrial Holdings Corporation (Carborundum)– Grinding Wheels

John Crane, Inc. – Packing

Kelly Moore Paint – Joint Compound

Minnesota Mining and Manufacturing Company – Masks

Republic Powdered Metals – Joint Cements and Compounds

Union Carbide – Bakelite, Calidria, asbestos fibre

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEFENDANT LIST

Aqua-Chem (d/b/a/ Cleaver Brooks)  
7800 N. 113 St.  
Milwaukee, WI 53244-3136

Bayer Cropscience Inc., (f/k/a Aventis CropScience USA Inc., f/k/a Rhone-Poulenc Ag Company Inc.,  
a/k/a Amchem Products, Inc.)  
By and Through Its Registered Agent for Service  
CT Corporation System  
111 Eighth Avenue  
New York, New York 10011

Bondex International, Inc.  
By and Through Its Registered Agent  
The Prentice Hall Corp System  
50 West Broad Street  
Columbus, Ohio 43215

Crown Cork & Seal  
PO Box 63290  
Philadelphia, Pennsylvania 19114

Dana Corporation  
By and Through Its Registered Agent  
CT Corporation System  
225 Hillsborough Street  
Raleigh, North Carolina

Daniel International Corporation  
By and Through its Registered Agent  
National Registered Agents, Inc.  
2 Office Park W., Ste. 103  
Columbia, SC 29223

D.B. Riley, Inc.  
By and Through its Registered Agent  
C.T. System Corporation  
225 Hillsborough Street  
Raleigh, NC 27603

General Refractories Company  
C/O Barry Katz, President and General Counsel  
225 City Line Avenue  
Bala Cynwyd, PA 19004

Guard-Line, Inc.  
C/O H. Lee Stanley  
215 South Louise Street  
Atlanta, Texas 75551

H.B. Fuller Company  
By and Through Its Registered Agent  
C.T. Corporation System  
225 Hillsborough Street  
Raleigh, NC 27603

Industrial Holdings Corporation  
By and Through Their National Counsel  
C/O Thomas W. Tardy, III  
Forman Perry Watkins Krutz & Tardy PLLC  
1200 One Jackson Place  
188 East Capital Street  
Jackson, Mississippi 39225-2608

John Crane, Inc.  
By and Through Its Registered Agent  
C.T. Corporation System  
225 Hillsborough Street  
Raleigh, NC 27603

Kelly-Moore Paint Company, Inc.  
C/O Patrick T. McDonald  
987 Commercial Street  
San Carlos, California 94070

3 M Company (f/k/a Minnesota Mining and Manufacturing Company)  
By and Through Its Registered Agent  
C.T. Corporation System  
225 Hillsborough Street  
Raleigh, NC 27603

Republic Powdered Metals, Inc.  
By and Through Its Registered Agent  
The Prentice Hall Corp System  
50 West Broad Street  
Columbus, Ohio 43215

Union Carbide  
By and Through Its Registered Agent  
C.T. Corporation System  
225 Hillsborough Street  
Raleigh, NC 27603